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NOV.

1899.

ANNALS
OF THE
AMERICAN ACADEMY
OF
POLITICAL AND SOCIAL SCIENCE.

THE TERMS AND TENOR OF THE CLAYTON-
BULWER TREATY.

The approaching political crisis in the Far East and the recent Spanish-American war have jointly contributed sharply to define certain heretofore unformulated principles of Anglo-Saxon policy. It is now recognized on both sides of the Atlantic that the United States has completed her domestic novitiate and is about to enter upon her appointed career in the foreign politics of the Pacific. In acknowledging thus informally the newly attained majority of the junior nation, both branches of the Anglo-Saxon race have furthermore come to realize that the days of brotherly bickering are past and that henceforth the more dignified relations of diplomatic equality must prevail.

To each of these general propositions a particular corollary pertains. In view of the sudden extension of the American frontier so far across the Pacific, the strategic necessity is perfectly apparent of providing more adequate means of communication than at present exist between the outlying island possessions of the United States and her mainland political base. In anticipation of the probability that Great Britain and the United States will pursue in the

future a parallel political course, the expediency is equally obvious of the two powers agreeing at the outset upon the diplomatic rules of the road. Thus, by a natural concatenation of events and through a logical connection of ideas, two important subjects have recently come up for discussion in England and the United States: interoceanic communication and international alliance.

Some fifty years ago a different sequence of facts set a somewhat similar train of ideas in the same general direction, and resulted eventually in the formulation of a definite agreement between the two powers upon both these points, which, though proving of no practical avail, is still theoretically in force. There are, therefore, logical grounds (if the principles of historical consistency are to prevail) for demanding a stay in the proceedings of the moment until the pleas of the present be supplemented with the decisions of the past. Pertinent, in other words, to the present proposals for an isthmus canal and an Anglo-American understanding are the terms and tenor of the Clayton-Bulwer treaty.

The superficial circumstances leading to the ratification of this antiquated convention were unlike those now making toward a similar expression of ideas, but upon a deeper insight into the philosophy of the subject the variation diminishes and both groups of facts are seen to proceed primarily from the same general process of development. Cognizance of the principles of this progression promises, consequently, to reconcile the present divergence of ideas on the questions under consideration, and lead the approaching discussion along a more profitable path.

Looking back along the trend of historical events, it will be seen that, with Europe as its point of departure, the course of commercial civilization has proceeded in opposite directions about the globe: through Asia and around Africa toward the east, and over the Atlantic to America on the west.

Maritime progress in either direction was originally opposed by continental masses contracting at two points to isthmus connections. On the east the lands of promise extended far beyond the barrier, but to the west an undeveloped continent lay open to economic exploitation directly from the Atlantic. Access to the Pacific was consequently the condition precedent to the success of the eastern movement; whereas on the west there was no such immediate necessity for interoceanic communication. The easterly current of commerce was furthermore confronted by compact native populations, which diverted the main stream and compelled the Europeans to approach the South Sea by skirting the shores of the continents. For this reason inter-European contest has been longer maintained on this side of the globe, no colony has as yet established its independence along the easterly route, and the complete partition of the continents has yet to be effected. In the opposite direction the aborigines of America offered but slight resistance to the advance of western civilization, and Old World competition was consequently afforded a fair field to run its full course toward the Pacific. As a result, European controversy was reduced to an earlier issue along this line of advance, leaving independent republics in practical possession of the field. Thus, while the eastern movement is characterized historically by European contest and native opposition, the advance of western civilization is typified by independent progress along an unimpeded course.

The different conditions encountered on either side of the globe have naturally given to each of these currents of progress an historical bent of its own, with the result that modern civilization is traditionally divided, to the prejudice of geographic prevision. But the diversity is, after all, transitory, for, owing to the sphericity of the earth, the two courses of commerce are ultimately destined to be merged into one. Proceeding from the premises of geography, it is, therefore, obviously illogical to consider either commercial

movement as an isolated phenomenon. Indeed, the traditional separation of the factors accounts in great measure for the confusion still surrounding the subject under discussion. In order to present the problem of interoceanic communication in its logical light, it will be better to postulate the common origin and end of commercial development, and make proper historical allowance by the way for the different traditional standpoints of the past.

Representing the earlier Columbian hypothesis, Spain regarded America originally as a barrier-land before Asia, and her primary efforts were accordingly directed toward the discovery of the westerly strait to the Indies. But geographic conditions precluded so premature an application of the geometric theory, and the sufficiency of her New World possessions gradually restricted Spain's attention to the west. From the later Spanish point of view, isthmus transit came accordingly to be regarded as a purely local expedient for the better development of American resources. England meanwhile was making equal progress in both directions, and from her insular vantage-ground was able distantly to foresee the ultimate union of her easterly and westerly trade routes. With this far-off end in view, possession of the American isthmus early became a settled principle of British politics: in the words of William Paterson, an enthusiast of the time, "this door of the seas, this key of the universe, with anything of a reasonable management, will enable its proprietors to give laws to both oceans and become arbitrators of the commercial world."

Thus, when in the course of colonial controversy the spheres of British and Spanish influence came together in the Caribbean, a struggle was naturally engendered between the two powers for predominance among the West Indian islands; and, after comparative insular equality had been secured, the contest was continued for ascendancy along the Spanish Main. Prior discovery and formal occupation gave Spain a legal title to the Central American mainland,

but her settlements were practically confined to the west, and, except for one or two Spanish export stations along the Caribbean shore, the eastern seaboard lay invitingly open to foreign encroachment. English buccaneers naturally took advantage of this unexpected weakness in their adversaries' defensive position, and shortly succeeded in securing several footholds along the coasts of Yucatan and Nicaragua, and in the Bay Islands off Honduras. When freebooting became no longer profitable, these buccaneering establishments were transformed into loggers' camps, and in defence of such peaceful occupations Great Britain could claim certain reserved rights for her subjects along the Caribbean shore. Spain contented herself with formal protests against these offensive operations, and during the brief intermittent periods of peace, the matter was twice theoretically adjusted, by the treaty of Aix-la-Chapelle, 1748, and by the treaty of Paris, 1763; but, as a matter of fact, the English settlers continued to extend their holdings until the outbreak of the revolutionary contest.

Upon the revolt of her North American colonies, Great Britain foresaw the possibility of being cut off entirely from further progress toward the west. To avoid so serious a contingency, a naval force was gathered in the West Indies, and Nelson, with the support of the settlers of the shore, made a bold dash for the Pacific through Nicaragua. An untoward series of accidents—in which tropical fever counted for considerably more than Spanish valor—thwarted the success of this expedition, and, to accentuate the difficulty, England was at the same time obliged to admit defeat in the north.

Despite the failure of her immediate plans, in the final adjustment of American affairs in 1783, Great Britain nevertheless retained important territorial prerogatives in the New World. Through Canada further progress was still possible toward the Pacific, and her strategic position before

the isthmus was not seriously disturbed. Owing to the relative reduction of her European adversaries, the balance of West Indian power was actually in her favor, and, as her settlers were granted vested rights in Yucatan, Belize and Guiana, now afforded two important *points d'appui* along the Spanish Main, to the north and south of the future route of interoceanic communication.

Through their successful struggle for independence, and by their subsequent declaration of principles, the North American colonists, on their side, fell heirs to a double inheritance. From the mother country they obtained by right of redemption the better part of the northern continent, and as the self-appointed guardians of the minor republics of the south, they also became the representatives of the former privileges of Spain. Thinking of the Old World, from which they had with such difficulty detached themselves, as belonging entirely to the past, and believing with Berkeley that the course of empire was exclusively toward the west, Americans came henceforth to regard the New World as the *Ultima Thule* of progress, and gave but passing thought in these early days of their independence to the corresponding current of civilization setting in toward the east, with which they were manifestly destined eventually to come into contact. It was natural, therefore, with this restricted horizon, that the United States should continue the Spanish tradition of the transit question, and from the outset regard the project of interoceanic communication as a purely local expedient for the amelioration of their economic conditions. From her extended experience, England, on the other hand, was able to take an even more comprehensive view of the situation than before. By persistent struggle she had managed to maintain her position in the forefront of either advance, and her problems were now similar on both sides of the globe. To develop her colonies along each line of progress, and connect the two currents of commerce by opening the eastern and

western gateways to the Pacific, such was her imperial policy. Thus, after the events of the revolutionary period, Great Britain came to regard America more and more in the light of a *Durchgangsland*; while the United States continued to look upon the New World as an isolated *oikoumene*.

The suspicion of an intention on the part of the continental countries to interfere again in the unsettled affairs of Spanish America, was enough to bring the whole question up for discussion between the powers primarily concerned. In spite of the divergence of their views, the two representatives of the western movement had at least proceeded from a common point of departure and were accordingly congruent in the conviction that the progressive elimination of European politics from America should be considered final as far as it had gone. On the basis of this evident agreement, Canning hoped to draw the governments together in a joint declaration to this effect to the Holy Alliance. But Adams was too far-sighted to allow any such preliminary estoppel to be placed upon the independent American claim. Joint action taken by the Anglo-Saxon powers against the continent involved the admission of at least one European government into the future rights and privileges of the New World, and this was utterly inadmissible to the American mind, which persisted in regarding the Old World as a unit of political policy. Choosing, therefore, to be theoretically consistent rather than practically reasonable, the United States resolved to declare alone against Old World interference, and England found herself included accordingly within the terms of the ban. But in spite of European filiations and eastern connections, Great Britain was still a powerful factor in the politics of the west, and by the treaty of Versailles the United States was furthermore bound to recognize these reserved rights in America. In the hopes of avoiding this awkward contradiction, the Americans took pains to add a

clause to their doctrine promising not to interfere with existing European dependencies in the New World. But, inasmuch as they still claimed the future entirely for themselves, England was apparently to be reduced to a position of static desuetude along the line of western progress. An anomalous situation, indeed, and one big with the possibilities of controversy!

There was no immediate likelihood, however, of serious differences arising from this underlying contradiction of theory and fact, because it was for some time practically possible for both powers to pursue their way toward the west without either being in a position to interfere with the advance of the other. Thus the two nations continued to parallel each other's course across the continent—Great Britain with the definite idea in mind of joining her westerly outposts with her colonial connections in the Far East, the United States merely making territorial provision for her rapidly increasing population. Some friction was naturally generated along the line of contact, but never enough to fire the main train of controversy, and it was not until the two powers contemporaneously reached the Pacific that the inherent diversity of their aims threatened to raise the real issue.

In planning to effect a westerly junction with her Oriental outposts, England had not confined herself exclusively to the north. True, by the treaty of Versailles, 1783, and again by the treaty of Madrid, 1814, she had agreed to abandon her promising interests along the Nicaraguan coast and confine her Central American colonists henceforth to Belize; but, even at the time the decision had been unpopular, the opponents of the Whig ministry maintaining that, "in thus deserting her Mosquito allies Great Britain was hanging up her degradation in every court of Europe;" and now that Central American inheritance of Spanish rights was legally in doubt, opportunity was offered to retrieve this error of the past, and revive the British claim

to the shore. The English settlers were as eager as ever to extend their domain, and as the Indians were still friendly disposed, they experienced no difficulty in including the entire eastern coast of Nicaragua, north and south of the San Juan, within the confines of the newly constituted kingdom of Mosquitia, which, with the Bay Islands, was to be placed under the protection of the Superintendency of Belize. But as the Nicaraguans continued to control the outlet of the San Juan, the territorial integrity of the kingdom was incomplete. A preliminary attempt to seize the port in the name of the Mosquito King naturally aroused resistance from the interior, and at this juncture it was deemed advisable for the Home Government to intervene. To provide a base of operations, Lord Palmerston first took occasion to establish a regular government in Belize. Following the recommendations of his Central American agents, he officially recognized the seizure of the Bay Islands, and finally informed Nicaragua that, "the right of the Mosquito King should be maintained as extending from Cape Honduras down to the mouth of the San Juan, and without prejudice to any rights of the Mosquito King south of the San Juan." As was expected, the Central Americans protested against the threatened encroachment, whereupon the Mosquito monarch was put in possession of his rights with the aid of British marines. Nicaragua was then forced, at the point of the bayonet, to sign a treaty abandoning forever all claim to the mouth of the stream, and, to make a point of possession, the English rechristened the settlement, *Greytown*.

Thus, by a prudent exercise of diplomacy and force, Great Britain succeeded at last in securing possession of the key to the western gateway to the Pacific. This was in 1848, shortly after the rival American claimants had come to a definite agreement as to the line of trans-continental demarcation separating their respective dominions in the north. During the following year the discovery of

gold in the newly acquired territory of California induced a veritable inrush of population from the East, and clearly indicated the imperativeness of providing better means of communication between the separated seacoasts of the country than the toilsome journey across the plains, or the perilous voyage around the Horn. By the prick of economic necessity the American people were accordingly aroused to the pressing importance of isthmus transit.

Being, as it were, the guardians of the southern republics, the United States found equally ready supporters on the isthmus; and, with the contrivance of the Central Americans, soon developed a counter situation along the western section of the transit route that prejudiced British plans. An American company easily secured a concession to construct the canal, and in return for a promise to guarantee the integrity of Nicaraguan territory from sea to sea, the United States Government was also given permission by the local authorities to fortify and control the route. On objections being raised by English agents to these exclusive provisions, the American commissioner, to strengthen his position, straightway opened negotiations with Honduras, and succeeded in securing temporary possession for his government of Tigre Island, which guarded the Pacific outlet of the proposed canal. Matters reached this critical juncture in 1850. With England in possession of the Atlantic terminus, and the United States in control of the Pacific end of the line, the least attempt on the part of the locally constituted canal company to exploit its concession must necessarily have precipitated a crisis.

Since the enunciation of the Monroe doctrine no controversy had arisen between the American rivals not amenable to compromise, and, ticklish as were the times, it was still possible to turn this fresh crisis without raising the real issue, provided present considerations were alone allowed to prevail. Both powers were anxious to avoid an

open rupture at this particular period (England because of threatened disturbances in the East, and the United States for reasons of domestic concern), and each was willing to co-operate with the other within the limits prescribed by their respective American policies. Owing to their antithetical attitude toward the general question, the canal problem presented a different aspect, moreover, to the two parties concerned. Being particularly impressed with the economic necessity of the undertaking, the United States failed as yet to appreciate the importance of political control. To Great Britain, on the other hand, it was a matter of much more moment to dominate the route than to further the finances of the enterprise. What to the United States appeared to be a present problem of transportation involving industrial advantage, was to England a factor of future strategic importance that touched the tenets of her foreign policy. Between the immediate economic needs of one party and the ultimate political demands of the other, a narrow way was, therefore, open to negotiation. With characteristic acuteness, Sir Henry Bulwer pointed out the path, and in responding to the cue, Mr. Clayton proceeded so precipitately that he failed to recognize the real direction of the road.

Before reaching the realm of compromise and co-operation, certain diplomatic obstructions had first to be cleared away. Though willing to waive all question of exclusive political control, following the dictates of the Monroe doctrine, the United States was nevertheless obliged to insist upon the withdrawal of the British claim to the Caribbean coast as a condition precedent to further negotiation. Fortunately for the success of the diplomatic preliminaries, England apparently set no further store by this fever-breeding strip of shore line, which she had evidently acquired more with a view to controlling the western gateway to the Pacific than for its own intrinsic worth, and if the end were otherwise to be obtained, she was quite willing

to abandon the provisional means. Being a naval power, it was not, indeed, incumbent upon Great Britain to occupy and fortify the land, provided of course her rival would likewise consent to retire from her position and renounce all claim to the canal route.

Under the circumstances, therefore, the immediate demands of one party and the ultimate exactions of the other might perfectly well be met by a relinquishment of their respective territorial acquisitions. Sir Henry Bulwer's counter proposition to this effect proved entirely acceptable to Mr. Clayton, and Article I of the treaty was accordingly cast in the form of a self-denying act, whereby the two governments promised jointly and severally not to maintain exclusive control over the canal route, and never in the future to disturb the territorial integrity of the Central American States.*

Having successfully avoided the initial difficulty, the plenipotentiaries were free to proceed to the formulation of their plans for the co-operative construction of the canal. American concessionaires still held the exclusive right of way through Nicaragua, but fully realizing the impossibility of raising the capital requisite for so large an undertaking in the United States, the promoters were willing enough to

* ARTICLE I.—The governments of the United States and Great Britain hereby declare that neither the one nor the other will ever obtain or maintain for itself any exclusive control over the said ship-canal; agreeing that neither will ever erect or maintain any fortifications commanding the same or in the vicinity thereof, or occupy, or fortify, or colonize, or assume, or exercise any dominion over Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America; nor will either make use of any protection which either affords or may afford, or any alliance which either has or may have to or with any state or people, for the purpose of erecting or maintaining any such fortifications, or of occupying, fortifying, or colonizing Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America, or of assuming or exercising dominion over the same; nor will the United States or Great Britain take advantage of any intimacy, or use any alliance, connection, or influence that either may possess with any state or government through whose territory the said canal may pass, for the purpose of acquiring or holding, directly or indirectly, for the citizens or subjects of the one, any rights or advantages in regard to commerce or navigation through the said canal which shall not be offered on the same terms to the citizens or subjects of the other.

allow British investors to share in the profits of the enterprise. Economic partnership between the citizens of the two countries foreshadowed the necessity of dual control, and by this clue the negotiators were brought from the negative promises of their self-denying act to the positive provisions of Article VIII, wherein the two governments agreed to extend their joint protection to the interoceanic canal of the future.* Nothing was said of the method of extending such protection, but as neither power was allowed to occupy or fortify the route, the presumption was in favor of the employment of naval force for the purpose; and, considering the relative sea-power of the contracting parties, the brunt of the burden (not to speak of the resulting advantages) was evidently to devolve upon Great Britain.

The mutual sacrifices required under the terms of the Clayton-Bulwer treaty were supposed to lead to reciprocal advantage, but in reasoning thus, no allowance was made for the relative strategic position of the partners to the contract. By renouncing her claim to the shore, England gained a clear right of way through an undefended country which she could easily dominate with her fleet. The United States, on the other hand, in retreating from her position along the canal route, practically left her southern frontier unguarded, and therefore at the mercy of her maritime

* ARTICLE VIII.—The governments of the United States and Great Britain having not only desired, in entering into this convention, to accomplish a particular object, but also to establish a general principle, they hereby agree to extend their protection, by treaty stipulations, to any other practicable communications, whether by canal or railway, across the isthmus which connects North and South America, and especially to the interoceanic communications, should the same prove to be practicable, whether by canal or railway, which are now proposed to be established by the way of Tehuantepec or Panama. In granting, however, their joint protection to any such canals or railways as are by this article specified, it is always understood by the United States and Great Britain that the parties constructing or owning the same shall impose no other charges or conditions of traffic thereupon than the aforesaid governments shall approve of as just and equitable; and that the same canals or railways, being open to the citizens and subjects of the United States and Great Britain on equal terms, shall also, be open on like terms to the citizens and subjects of every other state which is willing to grant thereto such protection as the United States and Great Britain engage to afford.

rival. It must be borne in mind, however, that by reason of her isolated position, the United States had not as yet experienced the necessity of seaboard defence; and it is doubtful, therefore, whether the logic of geography, even if apprehended, would have carried much weight with the American mind of the day. As it was, the United States felt satisfied to have freed Central America from further British encroachment, without relinquishing rights already acquired or privileges thus far claimed. With the aid of English capital she was furthermore to have her seaboards joined, and the purely domestic problem of isthmus transit satisfactorily solved—and all in return for refusing to accept exclusive favors of doubtful value along the route. Nor had England any cause to be dissatisfied with the arrangement, for she had certainly succeeded in turning her isthmian assets to remarkably good account. Instead of merely holding the key to the situation, she was now assured of future control of the westerly route to the Indies. Thus judged from the restricted standpoint of the day, the Clayton-Bulwer treaty may be regarded as a true expression of the then prevailing tenor of Anglo-American opinion on the transit question.

So restricted, however, were the lines of joint action by the limitations of time and place, that the original concurrence of opinion was none too firmly fixed by the terms of the convention. To further weaken the structure, Sir Henry Bulwer deliberately removed the king-post from under the American side of the agreement by declaring in a private note to Mr. Clayton (delivered just before the ratification of the instrument), that his government did not "understand the engagements of that convention to apply to Her Majesty's settlement at Honduras or its dependencies." Put more bluntly, this simply meant that the whole question of British territorial rights on the isthmus (one of the two essentials of the contract to the

United States) was to be taken out of the treaty and made to depend henceforth upon an *ex parte* interpretation of the word *dependency*. But Mr. Clayton was by this time too badly bewildered to see the significance of the situation. Blundering blindly along, he accepted the declaration as a matter of no particular importance and filed it away among the archives of the State Department. The Senate was thus kept in ignorance of this all-important British reservation, and ratified the treaty under the naive conviction that Central America was finally freed from foreign control.

It soon became evident, moreover, that the second essential of the contract (the economic partnership between the capitalists of the two countries) was likewise to fail; for in spite of their efforts, the American promoters were unable to interest British investors in the canal project. All hope of beginning operations upon the canal itself had therewith to be abandoned, but in order to reap some profit from the increasing tide of traffic toward the gold-fields, an offshoot of the original company determined at all events to open a provisional route of transit by steamer and stage through Nicaragua. The crowd of Americans thus attracted to the scene straightway demonstrated their inherited capacity for self-government by establishing an independent town at the port of the San Juan. Lest the free city should be recognized from Washington, Great Britain thereupon publicly proclaimed her reserved rights along the shore. To lend practical support to the decision, marines were then landed in Greytown and the Mosquito protectorate formally revived. Shortly after this the Bay Islands were also included under the claim and constituted a British colony. Such was the English interpretation of the "dependencies" of Belize!

In spite of the unexpected turn of events, the United States Government still hoped to adjust the matter amicably along the lines laid down in the Clayton-Bulwer treaty, but American citizens were no longer to be bound by diplomacy.

By mixing in the internal politics of Nicaragua, a band of adventurers under the famous filibuster, Walker, straightway succeeded in gaining possession of the government and thereby secured control of the canal route. With southern filibusters now pitted against northern concessionaires, and diplomatic protests pouring in from abroad, the Washington authorities were completely nonplussed; and after considerable vacillation only intervened in the end to restore the reins of government to the uncertain hands of the native Nicaraguans.

Thus neither the political nor the economic purpose was accomplished for which the United States had entered into negotiation. Being denied their pottage, it was natural enough, therefore, that Americans should seek to recover their birthright. At that time, indeed, the government had grounds enough to insist upon the immediate abrogation of the Clayton-Bulwer treaty. True, both parties had violated Article I of the convention by subsequently interfering in Central American affairs; but while the United States had formally disavowed the acts of her irresponsible filibusters, Great Britain, on the other hand, had officially confirmed the authority of her governmental agents. The relative position of the partners was thus altered considerably: Great Britain had, for her part, succeeded in re-establishing the *status quo ante conventum*, but the United States, by her action, simply reverted to the *status quo post conventum*.

Even accepting Sir Henry Bulwer's covert declaration (only at this juncture brought to light) as an integral part of the treaty, it was still possible for the United States to deny the English interpretation of the word *dependency*, and regard the retention of the Mosquito protectorate and the occupation of the Bay Islands as violations of the original agreement. From the debates in Congress it soon became apparent that the government was disposed to take this view of the matter. The British Foreign Office had accord-

ingly to pass once more upon the relative importance of present possession or future control, and the decision was again in favor of the latter alternative. As a matter of choice, the partnership provisions of the Clayton-Bulwer treaty were certainly to be preferred to the doubtful protectorate of the shore. There was a difference, however, between being forced to retreat, and in voluntarily abandoning the claim. It was to Great Britain's advantage, therefore, to stave off American action upon abrogation until she herself could establish the *status quo post conventum*, by dealing directly with the Central American States. Separate treaties were accordingly concluded with Honduras, Guatemala and Nicaragua, under whose terms Great Britain abandoned the Bay Islands, acquired definite rights in Belize, and only retained supervisory authority over the future affairs of Mosquitoland.

But in order to grant, one must legally hold. In allowing these negotiations to proceed without protest on their part, the Americans, therefore, tacitly admitted the validity of the very British claims they had up to this so strenuously denied. Having passed thus by implication upon the recently acquired English titles to the shore, the United States had no further grounds to insist upon the abrogation of the Clayton-Bulwer treaty—provided, of course, the quit-claim deeds were found to be in proper form. Even on this minor point objections might well have been raised to the incomplete transfer of the Mosquito protectorate, but having admitted the general principle, the Americans were not disposed to be captious regarding details. So after looking over the treaties, President Buchanan artlessly placed a second estoppel upon the American side of the case by declaring in his message that, “the discordant constructions of the Clayton-Bulwer treaty between the two governments . . . have resulted in a *final settlement entirely satisfactory to this government*.”

Thus the convention continued to prevail, and both parties

were apparently content. There was no disposition on either side, however, to develop the situation any further along the lines laid down. From a present possibility the canal project had by this time become a tradition of the past. Assured of future ascendancy along the route, Great Britain took no further interest in the transit problem beyond preserving her reserved rights on the isthmus, and upon the outbreak of the Civil War the attention of the United States was likewise diverted from Central American affairs. The whole question of interoceanic communication was accordingly pigeon-holed by the Anglo-Saxon powers for future consideration.

The preservation of the Union opened new economic and political prospects to the United States and altered her attitude toward the Clayton-Bulwer treaty. Before the war eastern capitalists were the only persons particularly interested in the canal project, but under the new order of things a demand for interoceanic communication arose among the grain and fruit-growers of the new West, and the planters and miners of the reconstructed South, cut off, as they were, by the isthmus from their natural markets. Political contingencies had likewise to be taken into account, for though the Union had been preserved, disjointed coast-lines and the lack of transcontinental communication were extremely likely to lead to a new sectionalism along longitudinal lines. The French occupation of Mexico had also taught the United States a salutary lesson in the matter of seaboard defence, and suggested the advisability of improving the southern frontier of the country. In behalf of national prosperity and in the interests of territorial integrity, the government, therefore, felt called upon, after providing for Pacific railways, to take definite initiative likewise in the matter of isthmus transit.

Repeated official surveys having demonstrated beyond peradventure the superiority of the Nicaraguan route, it

again became incumbent upon the government to make diplomatic provision with this republic for the construction of the canal; and this brought the authorities to a fresh quandary. True, nothing had as yet occurred to disturb the traditional view of the transit question which the Americans had inherited from Spain, and the United States still continued to regard the canal project, accordingly, in the light of a local expedient; but the progress of events had at least disclosed the geographic premises of the argument, and the logic of the situation now led to national control. The Clayton-Bulwer treaty still stood in the way of any such conclusion, however, and in dealing diplomatically with Nicaragua the United States had consequently to content herself with simply guaranteeing the neutrality of the route in return for the desired right of transit. In the mere expression of opinion, more latitude was, however, allowed, and two Republican Presidents, Grant and Hayes, felt free to declare the future policy of the country to be a canal under American control.

These statements were of course *ex parte*, for without England's consent, the United States could assume no such monopoly privileges. In the hopes of making the convention conform with the principles of the newly adopted policy, successive Secretaries of State then endeavored to persuade Great Britain to reconsider the American claim. Mr. Blaine opened the theoretical argument by a belated appeal to the judgment of geography. To this Lord Granville very properly replied, that if President Monroe had been able in 1823 to forecast the future relation of his country to the western continent, the negotiators of the treaty of 1850 must surely have possessed sufficient provision to provide for the immediate future; and as far as he could see, nothing had since occurred to alter the situation materially. Upon this refusal on the part of the English Secretary to admit that new conditions had rendered the old convention nugatory, Mr. Blaine proceeded to raise

certain historical objections to the treaty, instancing a number of occasions upon which, in his opinion, Great Britain had violated its terms. He closed his recital, however, with the year 1859; so, in reply, Lord Granville had only to recall President Buchanan's expression of satisfaction with the situation in 1860 to put an end to this line of argument as well. Undaunted by his predecessor's defeat, Mr. Frelinghuysen continued the historical attack by claiming that in raising the Belize settlement to the rank of a Crown Colony, England had violated the treaty after President Buchanan's term. In answer, Lord Granville was able to show that the United States had herself admitted the legal existence of the colony of British Honduras in the Postal Convention of 1869, and was, therefore, estopped from further objections on this score. Mr. Frelinghuysen then shifted the argument suddenly from history to interpretation, and endeavored to prove that the co-operative provisions of Article VIII only applied to the canal projects proposed in the past and not to future plans; but as no period had been set in the contract, Lord Granville justly denied the applicability of any such statute of limitations, and curtly refused to discuss the question any further.

Mr. Blaine's arguments were merely directed to the general purpose of American control, but Mr. Frelinghuysen had a particular end in view. Anticipating success in the diplomatic campaign, President Arthur had, in fact, already concluded an arrangement with Nicaragua whereby the United States Government was to construct, own and control the proposed canal. The plan was, however, contingent upon the modification of the Clayton-Bulwer treaty, and as there was so little probability of England's consenting to the change, President Cleveland did not feel inclined to continue his predecessors' policy. In withdrawing the canal convention from further consideration, ostensibly upon these grounds, the Executive granted by implication the continued validity of the Clayton-Bulwer treaty. A

third estoppel was thus added to those previously placed upon the American case by Clayton and Buchanan, and the attack upon the terms of the treaty must accordingly be considered as resulting in American capitulation.

Pledged to proceed along impossible lines, contradiction continued for the time to characterize Anglo-American relations, and the co-operative tenor of the canal convention only added irony to the irritating circumstances. Fortunately no controversy over the practical problems of construction and control has, up to the present, occurred to increase the acerbity of the situation. In the meantime international events are making for a readjustment of the relative attitude of the parties toward the general question of inter-oceanic communication, which promises a better basis of agreement.

Since the signing of the Clayton-Bulwer treaty, commercial civilization has made considerable progress in either direction about the globe. Eastern commerce being from the outset conditional upon interoceanic communication, it was natural that adequate maritime connections with the Pacific should first be established through the Suez canal. The immediate effect of this one-sided amelioration has been to allow the easterly current of commerce to spread somewhat further out across the Pacific than should normally be the case and to throw back the tide of American progress upon its European sources. Modern trade routes still radiate accordingly from the industrial centres of Europe to a periphery now bounded on the east by the littoral islands of Asia and on the west by the Pacific shores of America.

This arrangement of routes allows European manufacturers to draw their supplies from all quarters of the earth and dispose of their surplus finished products on the markets of Asia, Africa and America. Up to the present, therefore, America, like the other new continents, has

stood in the position of a purveyor of raw produce to the markets of the Old World. So long as the United States remained the leading agricultural country the situation was satisfactory enough, but the opening up of fresh sources of colonial supply has lowered the price of raw produce and made it more profitable for Americans to become exporters of finished goods. The natural market for American manufactures lies on the Pacific side of the globe and the industrialists of the country are already eager to enter into competition with their European rivals for a share in this South Sea trade. The difficulty lies in the lack of a westerly sea route to the Pacific. The isthmus now stands squarely in the way of America's further commercial expansion and hinders the natural outflow of her export commodities. Unwilling to be thus handicapped by poor means of communication, the manufacturers of the East have recently joined their pleas to the long-standing demands of the West and South for a waterway between the seas, and the nation is at last convinced of the economic necessity of the canal.

By according the country island colonies all across the Pacific, the war with Spain has also added cogent political arguments for the immediate construction of an interoceanic canal. Over and above the acknowledged expediency of joining the disconnected coast lines of the country and controlling the southern frontier thus established, the further strategic necessity has arisen before the United States of exercising ascendancy along the sea route leading to her widely separated insular possessions on the west. Interoceanic communication is, in short, no longer a mere question of local amelioration, but a matter of imperial importance upon which the whole policy of expansion depends. Thus with the abandonment of the older attitude of isolation, the traditional view of the transit question is finally being corrected in accordance with the geographic facts, and the American people are coming to realize at last

that it is a necessary consequence of commercial civilization for the dominant power of the Occident to control the western gateway to the Pacific.

Until recently the United States has been unable (except in the phrasing of the Monroe doctrine) to claim any such exclusive prerogatives in the New World; but there can scarcely be any further question between the Anglo-American partners as to the right of precedence along the westerly course of progress; because economic conditions have already conferred the leadership upon the junior nation. The commercial element is henceforth bound to prevail in America, and the British portion of the New World is still primarily agricultural. Nor will it be possible, after the canal is constructed, for England to compete directly with the United States along the westerly course of commerce, for the handicap of distance—to say nothing of relative resources—must inevitably turn the tables against the mother country. Though evidently cognizant of the situation, the British do not appear to be particularly chagrined at the economic prospect. Their graceful admission of the Venezuelan claim, their generous approval of the conduct of the war with Spain, and their cordial welcome to the American fleet in the Philippines may, perhaps, without impropriety, be taken as expressions of their appreciation of the attitude assumed by the United States toward the further progress of western civilization. If this be true, the underlying contradiction of New-World claims may at last be said to have disappeared, and opportunity is, consequently, afforded of re-establishing Anglo-American relations along co-operative lines. On the other hand, while disclaiming all intention to take sides in European controversies, the Americans have always evinced a lively sense of satisfaction at the success of English enterprise in the east. They admire the British colonial system, they approve of the policy of the “open-door,” and they watch with sympathetic interest England’s advance from

Egypt through the Soudan. British ascendancy along the easterly line of progress meets, in short, with the hearty approbation of the republicans of the west.

Destiny appears, accordingly, to be drawing a new line of demarcation about the globe—this time between the Anglo-Saxon peoples; not sanctioned, it is true, by a Papal bull, as was the earlier division between the Iberian powers of old, but none the less to be respected withal. There is consequently occasion for another treaty of Tordesillas to define the situation more precisely. And paradoxical though it appear, by separating their respective spheres, the Anglo-American powers will be brought into still closer accord. England has a well-considered policy to pursue along the easterly line of advance, and in the face of European rivals she will probably be glad of American support. The United States, on the other hand, is just about to enter upon her colonial career, and ready to profit by the example of her more experienced partner. With the limits of influence properly defined by the new line of demarcation, co-operation between the Anglo-Saxon peoples is accordingly possible without in any way prejudicing their future imperial plans.

The diplomatic antecedents are, in short, very similar to those that previously led to the Clayton-Bulwer treaty. May it not be possible, therefore, to preserve the spirit of the existing engagement by adapting its form to the new conditions? The negotiators of this well-intending convention could scarcely be expected to have possessed sufficient prevision to provide for the world-wide circumstances of to-day. The terms of the treaty are consequently too narrow, as they only apply to the west. But by extending the co-operative principle to include both courses of commerce, the tenor of the instrument may still be retained. With the assurance of American support, England would, in this case, continue to control the Suez canal and dominate the easterly water-route to the Indies; while the

United States, on the other hand, in obedience to the behests of her Monroe doctrine, would reassume the leadership of New World civilization and guard the neutrality of the western gateway to the Pacific—the Nicaragua canal.

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